

Primary Law Update

September 2011

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Business

Prakas No. 220 (MCF) dated August 17, 2011 on Management of Businesses and Services of Sale, Renting Videos and Movie Products (R/L/Bus/Khm/2011) (Royal Gazette, Year 11, No. 66, dated September 08, 2011).

This Prakas governs commercialization of film products in Cambodia such as the sale and rental of videocassettes, VCDs and DVDs. Only film products or videocassettes with a visa stamp and the visa seal of the Ministry of Culture and Fine Arts can be legally sold in Cambodia.

Prakas No 221 (MCF) dated August 17, 2011 on Utilization of Visa Stamp and Visa Seal to be put and printed on Videos and Movies Products. (R/L/Bus/Khm/2011) (Royal Gazette, Year 11, No. 66, dated September 08, 2011).

This Prakas provides that visa stamps and visa seals for film products sold in Cambodia must be used in order for the film product to be recognized as original and legally permitted for sale in Cambodia. Further, a license from the Provincial or Municipal Department of Culture and Fine Arts and the national Ministry of Culture and Fine Arts are required for the setting up of film products or videos businesses. The License Fee is determined by the Inter-Prakas of the Ministry of Culture and Fine Arts and the Ministry of Economics and Finances.

Prakas No. 186 (MCF) dated July 27, 2011 on Management of Books Businesses and Services (R/L/Int&Pro/Khm/2011) (Royal Gazette, Year 11, No. 65, dated September 04, 2011).

This Prakas aims to manage the book business in Cambodia. All books printed in Cambodia or exported must be registered at the Ministry of Culture and Fine Arts before they can be legally sold in Cambodia. The provision of this Prakas does not cover books published by Specialized Institutions for educational purposes. A license from the Ministry of Culture and Fine Arts is required to operate or run any bookshops or bookstores in Cambodia.

Criminal and Procedures

Prakas No. 002/11 (ACU) dated September 02, 2011 on Organization and Functioning of the Offices within the Departments of the Anti-corruption Unit. (R/L/ Cri&Pro/Khm/2011) (Royal Gazette, Year 11, No. 68, dated September 15, 2011).

This purpose of this Prakas is to determine the rules and duties of offices within the departments of the Anti-corruption Unit. It further specifies their powers, duties, and responsibilities.

Customs and Import-Export

Decision No. 009 (MEF) dated August 31, 2011 on Creation and Operation of the Customs Risk Management Database System. (R/L/Tax/Khm/2011) (Royal Gazette, Year 11, No. 69, dated September 19, 2011).

In compliance with the provisions of Sub-Decree No.21,dated 01, March 2006, on Trade Facilitation through Risk Management, and for the necessary purpose of customs risk management, the Ministry of Economy and Finance decides as follows:

- To establish and put into operation the Customs Risk Management Database System (CRMDS) in accordance with the implementation guide provided in the annex of this Decision. The purpose of CRMDS is to determine the risk levels for Import-Export according to the Kind of Indicator or Risk Selection Criteria.
- The General Department of Customs and Excise of Cambodia is required to organize, install and put into operation the CRMDS for each customs units as provided in this Decision;
- A Delegate of the Royal Government along with the General Director of Customs and Excise
 of Cambodia shall facilitate among institutions of trade facilitation for the purposes of risk
 management as mentioned in this Decision.

Sub-decree No. 208 (RGC) dated September 08, 2011 on Adjustment to Explanatory Note of Annex II of Sub-decree No, 209 dated December 31, 2007 on the Enforcement of List Prohibited and Restricted Goods. (R/L/Cus&Im-Ex/Khm/2011) (Royal Gazette, Year 11, No. 70, dated September 23, 2011).

The purpose of this Sub-decree is to modify the explanatory note of Annex II in Sub-decree No. 209 and add to the list of prohibited commercial products for import-export any product made from wood such as bamboo, cane or palm, which are the handicrafts for use in home furnishing as well as any sculpture weighing less than 5 kilograms per unit.

International Agreement

Prakas No. 614 (MEF) dated August 29, 2011 on Promulgaton of Provisions which modify the Operational Procedure on Certification of Product Origin of the ASEAN-CHINA Free Trade Area. (R/L/Cus&IE/Khm/2011) (Royal Gazette, Year 11, No. 69, dated September 19, 2011).

The purpose of this Prakas is to modify the Rules of Origin for the ASEAN-China Free Trade Area (ACFTA) in Annex III of the Goods Trade Agreement under the Framework Agreement on the Comprehensive Economic Cooperation between the ASEAN-CHINA. Also, operational procedures shall be implemented for the issuance and verification of the Certificate of Origin (Form E).

This prakas takes effect one month from the date of signature.